

PATENT (5760-13100/VRTS 0263 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Filed: Inven | | tember | 10/663,632 16, 2003 | 9999999 | the United States Postal S class mail in an envelo | Unknown 2183 5760-13100 Direspondence is being deposited with ervice with sufficient postage as first pe addressed to Commissioner for Alexandria, VA 22313-1450, on the |
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| Title: | Chec | ckpoint | Service | <i>\$</i> | date indicated below. | ence J. Merkel gistered Depresentative March 9, 2004 Date |
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| | | <u>IN</u> | FORMATION DIS | <u>CLO</u> | SURE STATEMI | <u>ENT</u> |
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| | Applica | ant reque | ests consideration of $oxtime 2$ | the i | references listed on the | he attached Form PTO- |
| 1449 ar | 449 and/or 🔀 the additional information identified below in paragraph 3. | | | | | |
| | \boxtimes | A copy | of each required refere | nce l | isted on the Form PT | O-1449 is enclosed. |
| | | serial n | | nich t | he captioned applica | ously cited in application tion is seeking priority to is not enclosed. |
| - | The present application is a U.S. national patent application filed after June 30, 2003, or an international application that entered the national stage under 35 US § 371 after June 30, 2003. Therefore, copies of the cited U.S. patents and/or U.S patent application publications are not enclosed. | | | | ional stage under 35 USC | |
| 1. | This In | formatio | n Disclosure Statemen | t is su | ıbmitted: | |
| | a. | | within 3 months of the continued prosecution | | | l application other than a d); |

| | b. | | 1.491 in an International application; before the mailing date of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114. after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed. | | | |
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| | c. | | after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed. | | | |
| 2. | It is hereby certified: | | | | | |
| | | that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty (30) days prior to the filing of the information disclosure statement; | | | | |
| | | that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the Statement; or | | | | |
| | | was ci foreign after m | item of information contained in the Information Disclosure Statement ted in a communication from a foreign patent office in a counterpart application or, to the knowledge of the person signing the certification taking reasonable inquiry, was known to any individual designated in § more than three (3) months prior to the filing of the Statement. | | | |
| 3. | | | eration of the following additional information (including any co-pending adoned U.S. applications, prior uses and/or sales, etc.) is requested: | | | |
| | | | pp. 1-2 entitled "Background of the Invention" from the specification of the captioned application. | | | |
| 4. | For each non-English language reference listed on the attached Form PTO-1449: | | | | | |
| | | referen | ce is made to an English language translation submitted herewith, and/or | | | |
| | | | ce is made to a foreign patent office search report (in the English ge) submitted herewith, and/or | | | |
| | | | ce is made to an English language translation of a foreign patent office report submitted herewith, and/or | | | |

Application Serial No. 10/663,632 - Filed September 16, 2003



| | | reference is made to the concise explanation contained in the specification of the present application at page(s), and/or |
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| | | reference is made to the concise explanation set forth below: |
| 5. | | Applicant also offers the following comments for the Examiner's consideration: |
| 6. | | Also enclosed is a copy of a foreign search report citing these references. |
| 7. | | The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application. |
| 8. | | Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application. |
| | If any | required fees are missing, the Commissioner is authorized to charge said fees to |
| Meyert | ons, H | ood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760- |
| 13100/ | LJM. | |

Respectfully submitted,

Lawrence J. Merkel Reg. No. 41,191

Attorney for Applicant(s)

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P. O. Box 398 Austin, Texas 78767 (512) 853-8800

Date: March 9, 2004

Forma TO-1449 (modified)

List at Patents and Publications

Applicant's Information

Disclosure Statement

ATTY. DKT. NO. 5760-13100

SERIAL NO. 10/663,632

APPLICANT: Cuong H. Tran

GROUP: 2183

| Disclosure Statement (Use several sheets if necessary) | | | FILING DA | TE: September 16, 2003 | | | | | |
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| | | U | J.S. PATENT | DOCUMENTS | | | | | |
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| | | OTHED ADT O | Including Author | or, Title, Date, Pertinent P | ogos Etc.) | | | | |
| | A1 | <u></u> | | Failover Management in Ap | | stering Pacl | kages," July | | |
| - | A2 | Service Availability Forum, "Service Availability™ Forum Application Interface Specification," April 12, 2003, 50 pages. | | | | | | | |
| | A3 | Cooper, "Replicated Distributed Programs," Proceedings of the 10 th ACM Symposium on Operating Systems Principles, December 1985, pp. 63-78. | | | | | | | |
| | A4 | Birman, "Replication and Fault-Tolerance in the ISIS System," Proceedings of the 10 th ACM Symposium on Operating Systems Principles, December 1985, pp. 79-86. | | | | | | | |
| | A5 | BEA, "BEA WebLogic Server TM ; Using WebLogic Server Clusters," BEA WebLogic Server Version 6.1, June 24, 2002, 145 pages. | | | | | | | |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.